

Dkt. No. 0073/65994

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Mark Russell ATTIEH

Serial No. : 09/937,976

Date Filed : September 28, 2001

For : A METHOD OF CONDUCTING FINANCIAL TRANSACTIONS

1185 Avenue of the Americas  
New York, New York 10036Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

DECLARATION OF WENDELL DUNN

I Wendell Dunn, hereby declare:

1. I am, and have been since April 1999, in charge of the docketing department at the firm of Cooper & Dunham LLP.

2. In accordance with procedures established at Cooper & Dunham LLP, incoming mail from the United States Patent and Trademark Office ("PTO") comes directly to me for review and to docket due dates for responses to PTO communications on the firm's docket record.

3. On July 25, 2002 I was advised that the PTO issued a Notification of Missing Requirements ("Notification") in the above-identified application on November 14, 2001. The above-identified application has been assigned docket number "65994". I have searched the

March Russell ATTIEH

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docket records for this application and have found no record of having received the Notification. I have no record or recollection of having received the Notification, and to the best of my knowledge no Notification was ever received by the firm.

4. A copy of the docket record for this application file where the Notification would have been entered had it been received and docketed is attached. This docket record does not contain any reference to the Notification, or any date for a response to the Notification.

5. I hereby declare that all statements herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Date: August 16, 2002

  
Wendell Dunn

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1185 Avenue of the Americas  
New York, New York 10036

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**DECLARATION OF RICHARD F. JAWORSKI**

I, Richard F. Jaworski hereby declare:

1. I am and have been since 1999 a partner at Cooper & Dunham LLP, and have been admitted to practice before the U.S.P.T.O ("PTO") as a registered attorney since 1989.
2. I have responsibility for the above-identified patent application, which I filed in the PTO on September 28, 2001.
3. Prior to July 25, 2002, the only communication which I recall receiving from the PTO is a return postcard, a copy of which is attached. The application file for this application which I maintain contains no other communication from the PTO.

4. On May 2, 2002, I prepared and filed with the Patent and Trademark Office a Status Inquiry requesting the status of the application. On July 25, 2002, I received a response to the Status Inquiry indicating that the application was processed by the United States Designated/Elected Office and a Notification of Missing Requirements was apparently issued on November 14, 2001. A copy of the Notification was included and a copy is enclosed herewith. The time for responding to the Notification, which could have been extended to June 14, 2002 by payment of appropriate extension fees, expired, it is believed that the present application has apparently become abandoned for not responding to the Notification.

5. I hereby declare that all statements herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Dated: August 16, 2002

  
Richard F. Jaworski